

REMARKS

In the Office Action dated January 31, 2008, claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gropper et al, Sirohey et al, Onno et al and Koppich et al.

In response, a portion of the subject matter of claim 2 has been embodied in independent claim 1, together with other changes therein consistent with the inclusion of this subject matter therein. Claim 11 has been amended in a similar manner to bring a portion of the subject matter of claim 15 therein.

Independent claims 1 and 11 are submitted to be patentable over the teachings of the references relied upon by the Examiner, for the following reasons.

In substantiating the rejection of claim 2, the Examiner stated that JPEG2000 data packets contain parameters such as region of interest, progressive accuracy level, and progressive resolution level. Applicants do not necessarily agree with this statement, but in any event the Examiner did not mention slice thickness as being among the parameters that can be designated with or linked to a JPEG2000 data packet. Applicants submit this is because JPEG2000 does not permit such a parameter to be employed. Including such a parameter in the data packet that is transferred in compressed form is a pre-requisite to allowing the user, upon decompression of the transfer data packet, to present the image represented by the data packet with a selectable or variable slice thickness.

For example, it is not possible to transfer, with a JPEG2000 data packet, thick CT slices that then can be represented as progressively thinner slices. Having a parameter that designates slice thickness is a pre-requisite to this capability. This functionality is important because a larger CT slice thickness (usually in the z-direction) can be accepted in smaller images, wherein the length x and the width y

are smaller. The interactive downloading of slices of different thicknesses is not possible with a JPEG2000 data packet.

The data packets that are transferred in accordance with the present invention are metadata and compressed image data that allow a specific local image section (in the x-direction, y-direction and z-direction) to be reconstructed with a specific spatial resolution and quality, dependent on the parameters that are contained in the individual packets. Depending on which packets are transferred in which order, various images can be reconstructed at the client, for example a partial image of a first overall image with low resolution in the small x-direction and y-direction, larger slice thickness and lower quality, or even a full image version thereof, possibly with a thinner slice thickness. It is also possible to reconstruct the complete image with a lower resolution. The image presentation depends on the needs of the client.

Applicants acknowledge that JPEG2000 provides a certain degree of flexibility in the image presentation, but the capability of selectively varying the slice thickness in the displayed image is not within the capability of JPEG2000.

Applicants therefore respectfully submit that the Examiner's reliance on the use of a JPEG2000 data packet, as disclosed in the Gropper et al reference, does not encompass a parameter that allows presentation of the transferred image with a selected slice thickness.

Moreover, Applicants continue to disagree with the Examiner's basic characterization of the Gropper et al reference in terms of the Examiner's alleged correspondence to the workstation IM disclosed therein with the "further workstation" as set forth in the independent claims of the present application.

At page 3, beginning at line 5 of the Office Action, the Examiner stated the importer module 104 (IM) according to Gropper et al corresponds to the workstation

associated with the imaging modality. As the Examiner has acknowledged, the importer 104 converts the image file from the received format, which may be a DICOM format, into a different format, such as the aforementioned JPEG2000 format. Applicants submit the fact that the importer module 104 in the Gropper et al reference performs this function is evidence that it is *not* a workstation located at the imaging modality. The imaging modality itself merely generates image data, and does not itself generate data in a DICOM format. The computer workstation at the imaging modality is the workstation that converts the “raw” image data into data formatted in the DICOM format. If the importer module 104 in Gropper et al *already* is receiving data in the DICOM format, as acknowledged by the Examiner, this means it is *not* the workstation at the imaging modality.

This means that if the importer module 104 allegedly corresponds to any element of the claims of the present application, in terms of its location with regard to other components in the system, it is the “at least one further workstation.” The importer module 104 disclosed in the Gropper et al reference, however, does not perform the function of the “at least one further workstation” in the claims of the present application.

For the above reasons, even if the Gropper et al reference were modified with the teachings of any of the further references relied upon by the Examiner (Sirohey et al, Onno et al and Koppich et al), the subject matter of independent claims 1 and 11 still would not result.

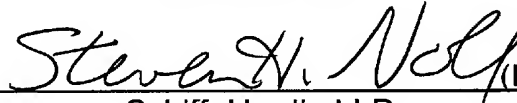
Claims 2-10 and 12-15 add further structure or further method steps to the subject of the independent claims, and therefore none of those dependent claims would have been obvious to a person of ordinary skill in the field of designing computerized medical data processing systems, under the provisions of 35 U.S.C.

§103(a), based on the teachings of Gropper et al, Sirohey et al, Onno et al and Koppich et al.

Early reconsideration of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.

Submitted by,

 (Reg. 28,982)

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